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TRADE TO THE BLACK SEA.

TO THE EDITOR OF THE NATIONAL REGISTER.

Washington, May 9, 1818.

SIR—At this moment the trade of the United States to foreign parts is reduced to the mere skeleton of what it was during the almost general war in Europe, before we became a belligerent ourselves. Notwithstanding the unjustifiable and unprecedented restrictions of Great Britain and France and their partizans on neutral commerce, the American flag was displayed in almost every corner of the globe; our numerous shipping were sought after with avidity, new vessels were launched and put to sea, as if resuscitated like the Phoenix from the ashes of the old, which were burned or unlawfully condemned; our mariners were fully employed at nearly double the wages they earn at present, while articles of the first necessity for the maintenance of human life, are now as dear, and in some instances, even dearer than they were when our commerce was in the most flourishing state, our ship-owners were making fortunes rapidly for themselves, while they increased the wealth of the nation; our ship-builders and mechanics, with pleasure, saw plenty bless their board, and anticipated a decent provision for themselves and their descendants: in short, the United States and Great Britain had nearly engrossed the whole trade of the world; but the general pacification has changed the scene; those nations which were then belligerent or oppressed, now participate, as of right they ought, in the lucrative trade which we enjoyed, and consequently our vessels, unemployed, are rotting at our wharves, while our seamen and mechanics, whose occupations depend on shipping for employ, are daily decreasing, and their sons, whom, under more auspicious circumstances, they would willingly have brought up to their own trades, now emigrate to the western country, and become farmers, or enlist in our army; at the same time it may be observed that our navy is increasing in the number of vessels, while the means of manning them with efficient mariners, which alone will ever give us a superiority to other nations, are visibly decreasing, and if other branches of commerce are not opened to the enterprize of our merchants, in a few years we will find it as difficult to man our fleet, on any emergency, with seamen, as the powers of Europe do to man theirs, even should we resort to the *Matricula*, as practiced in France prior to the revolution; impressment, I

presume, will never be thought of, much less resorted to in a nation of freemen.

I, therefore, am of opinion that it is a duty incumbent on every person to communicate his ideas to the public on a subject of so much national importance, and whether they are adopted or not, he will find his reward in the discharge of a conscious duty to his country.

The enterprize of our merchants, navigators and seamen has seldom been equalled, and never surpassed by the citizens of any nation, ancient or modern; they view, with great regret, that a portion of the globe is navigated by the vessels of European nations, which, in comparison to the United States, even in the present day, are really inconsiderable, and viewed in prospective will bear no parallel, where the "Star spangled banner" has never waved, although no peculiar obstacle has prevented us from enjoying that privilege upon terms equally as favorable as other nations, except the expense which would occur in negotiating a commercial treaty and establishing a minister resident. You will easily perceive that I allude to the trade with the Ottoman empire in general, and more especially to the trade of the Black Sea; and why we do not enjoy this privilege as well as other nations must only be ascribed to our want of knowledge of the value of its trade, and the rich harvests which our merchants would reap there. I have discoursed with a number of our wealthy citizens upon this subject, and I do not hesitate to declare that if it was compatible with our form of government to grant a monopoly of any trade whatever, I would grant one of this branch, to any of our commercial cities, that a sufficient sum would be subscribed in one hour, to defray the expense of negotiation, and to maintain a minister at Constantinople, and consuls in the chief ports of the empire, if necessary: indeed the addition of ten dollars upon the price of our Mediterranean passports would, in a few years, be more than an equivalent for the expense, independent of the increase of revenue which would accrue from this trade.

In the National Register of November the 29th and December the 13th, 1817, are some observations relative to the Porte, to which I refer for information on this subject, in which will be seen that "Spain, Naples and Sardinia have solicited from the Porte the liberty of navigating the Black Sea, and that it was said that the Turkish government demanded a very high compensation for the privilege;" but in one of the same papers it is

asserted that the marquis de Riviere, ambassador from France, near the sublime Porte, on renewing the amity which formerly subsisted between the monarchs of the house of Bourbon and the Ottoman empire, made presents of crystal ornaments, silver lamps, candelabras gilt, and French cloths wove in the oriental style: those articles could be of comparatively little value, when the magnitude of the object meant to secure is taken into view, more especially when we consider the immense revenue of France, and the value of the magnificent presents which that nation has frequently made to the Ottoman emperors, when they wished to attain an object of sufficient importance to warrant the expense; neither is it at all surprising that the Porte should demand a considerable gratuity for a privilege of so much importance from nations with whom they have been so frequently at war, and who, in comparison to the distance between them and the United States, are neighbors, to whom they could do more damage in an actual war, than either of those nations could do to them; or even all of them together; for the Ottoman fleet in the present day, joined by the cruisers of the Barbary States, are more than a match for the disposable force of Spain, Naples and Sardinia, consequently not only their trade in the Mediterranean would be totally destroyed, but their coasts would be exposed to the ravages of the Ottomans and their auxiliaries of Barbary, who would readily join in a war, which would promise them such immense plunder; this would be no novelty, for as late as July, 1799, the Algerines, at the requisition of the grand seignior, sent five of their largest cruisers, under the command of Hadji Solyman, to join his squadron in the Black Sea, to cruise against the Russians, with whom he was at war, and they did not return from thence until May, 1792. Indeed, all the Barbary States, although permitted to act independently with all Christian nations, except Russia and Austria, who navigate under the grand seignior's firman, are nevertheless considered as a component part of the Ottoman empire, and are obliged to send their vessels of war to join the Turkish fleet whenever they are commanded so to do, for the consequence of a refusal would be fatal to them, as it would induce the sultan to absolve the Turkish soldiery from allegiance to their chiefs, and to send a captain to any other person of influence in the offending regency, and to prohibit them from recruiting Turks for their army in the ports of the Levant, until they became more tractable and complied with his imperial order; any one of said measures would inevitably prove the ruin and cause the death of the chief who had the temerity to incur his displeasure. But the United States, or the new world, as the Turks style them, are view-

ed at Constantinople in a very different light from the nations of Europe, never having been at war with them, and situated at so vast a distance that it is impossible that their interests should ever create collision; and, as yet, only known to them as a nation recently emerged from the sea, as it were; they neither feel that animosity towards them that they do to the nations of Europe, nor can they have any other idea of their resources but what they derive from the agents of Christian nations who are jealous of their growing greatness, and must be very erroneous; they would, therefore, consider that the United States had paid them a great compliment in sending an agent so great a distance to form a treaty of amity and commerce with them; and although it is customary to make presents, an able negotiator would have it in his power to make use of such arguments, as would induce them to accept such articles as our government might think proper to present them with; but as we are a nation which derives our wealth from agriculture and commerce, and do not excel in manufactures, or articles of exquisite workmanship, we cannot be expected to give what we have not. It is true that money might be substituted, but not to advantage, and the sum exacted would probably be more than we would wish to give, and would have no novelty to recommend it; but we have articles of our own ingenuity which would be of infinitely more importance to them, and would be the more acceptable as they cannot expect that their neighbors, who have so long contributed to keep them in a state of ignorance, would now either assist them with inventions which in time of war would render them more formidable to their enemies, or in time of peace less dependent upon their industry. I am, therefore, of opinion that the complete models of a steam frigate, a seam boat, Evans's improved flour mill, and some other models of less value would be considered of more importance and would insure a minister from the United States a better reception at the Ottoman court than the costly baubles which are generally presented by the nations of Europe, which are of no real utility, and merely serve, like a child's rattle, to please for a moment, to be played with and thrown aside, now the coffers of the sultan and his ministers abound with them; indeed, the very act of sending an agent so immense a distance, with inventions of such great national utility, would be viewed, at least, with great complacency, and when the advantages which they would derive from them were properly explained, could hardly fail of success; especially as by the means of steam frigates Constantinople might be rendered perfectly secure by sea from an attack even from the whole Russian fleet, the only enemy they are now in dread

of, which will be better illustrated by a short description of its situation.

Constantinople fills a triangle formed by its harbor, the Bosphorus and the Propontis, or sea of Marmora; the harbor has its entrance from the north side, from the Bosphorus, is about five hundred yards wide, and extends inland seven miles. The Bosphorus and the Hellespont may be considered as the two gates of this large Capital, and might be defended against the combined fleets of Europe, if in addition to the fortifications which are now erected, they would employ steam frigates, such as ours. The Hellespont is the straight which forms a communication between the Ægean sea and the Propontis; it contains about sixty miles in its winding course, and three miles in its ordinary breadth; the narrowest part is between the old castles of Sestos and Abydos; it was there that Xerxes erected a stupendous bridge of boats, for the purpose of transporting his army of barbarians into Europe; and likewise where Leander braved the passage of the flood for the possession of his mistress.

The whole extent of those beautiful straights are owned by the opulent inhabitants of Constantinople, including the grand seignior's ministers and officers, who, by erecting mills upon the improved plan, might, in a few years, supply those countries with fine flour that are now supplied with wheat from the Black Sea, which must all pass by their doors, and would enable them to enrich their friends and dependants; but the indolence of the inhabitants would never allow them to carry this object to so great an extent as to injure the trade of other nations in this article, the supplying Constantinople and its vicinity would be the utmost extent of their ambition, and alone sufficient to excite the cupidity of some of the viziers of the divan, by whose means we would insure his, or their, friendship and assistance to obtain our object, which would be all we would require or in reason could expect. Would it not inspire those people with an exalted opinion of us as a nation as yet hardly known to them, even to see an handsome steam boat majestically propelled as if by magic, gliding on the smooth surface of the crystaline Bosphorus, and disappearing in the Hellespont or Euxine sea: how much more then would they be astonished at the mechanism of so tremendous an offensive machine as a steam frigate, which would render them perfectly secure from attack by sea, and in their hands would be equal to the Greek fire which destroyed the whole Saracen fleet that besieged Constantinople the second time in the seventh century.

It will not be irrelevant of the subject, to take a cursory view of the advantages which we might derive from having a commercial treaty with the

Ottoman empire, according to the information which we possess, which, as yet, is incomplete, and to consider whether it would be worth the expense and trouble of going so far to procure.

Besides the trade of the Black Sea, the Turkish empire exports silk, raw and rough, wool flax, hemp, several articles of manufacture, such as printed muslins, satins, silk stuffs and velvets of Brusa and Aleppo, serges and camelots of Angora, crapes and gauzes of Salonique, and carpets of Smyrna; copper, wrought and unwrought; sword blades of Damascus; spoons of tortoise shell, and kechilibir, of which mouth pieces of pipes are made, and other ornaments, and is a composition peculiar to themselves; hides, leather, marble, coral, amber, and some precious stones, gums and drugs, especially opium for the China market, in which article alone some fortunes have been made in the United States; dried fruit, almonds, oil, olives, tallow, coffee from Mocha in small quantities, caviar, wine from Cyprus, Rice and other grains, and many more articles for the support of human life; timber, masts, spars and galls of Aleppo; fine potter's clay, and vessels made thereof, which I am persuaded is of the same quality and equally as fine as that which compose the ancient Etruscan vases so much admired. No restrictions whatever are laid on commerce, except on articles for the support of human life, the exportation of which are sometimes prohibited from the ports where a scarcity prevails.

The trade of the Black sea and its waters would likewise be extremely valuable to a nation like ours, abounding in fine vessels and enterprising mariners, which in a few years would insure to us the whole of the carrying trade from that quarter. To avoid repetition, I refer those who wish for information to the National Register of the 29th of November, 1817, wherein they will be informed that from the Russian port of Odessa, the ancient Edessa, which, in 1704, had not one house standing, nor became of any commercial importance until several years after the commencement of the French revolution, there cleared out for foreign ports at least one thousand four hundred vessels, and unfortunately not one American among them. From that port every article which is exported from the Baltic during six months of the year only, iron from Syberia, and many others, owing to the mildness of the climate, are exported the whole year round, and on better terms; besides it furnishes an outlet for many articles of Persian manufacture. In Tangarook, at the head of the sea of Azoph, Russia has a depot of China goods, from which Asiatic Russia is supplied by the Don and Volga. Nicolleff and Cherssen are rapidly increasing, from

whence East India goods are frequently shipped to advantage. In fine the advantages of a trade with the vast empire of Russia, by means of the Black Sea and its waters, only wants to be better known to make it a primary object of pursuit, well worth the attention of our merchants, and an empire which contains 40,000,000 of inhabitants, and which extends on the side of Turkey to the Danube and the Tuth, and on the side of Persia beyond the Caucasus which give security to her possessions on the Black Sea, must furnish increasing advantages which no other European power can equal, independent of her vast inland navigation which extends from the frontiers of China to St. Petersburg by water, a distance of 4,480 miles, with the interruption of only between sixty and seventy miles land carriage; and from Astracan to the same place, a distance of 1,440 miles. By those conveyances the vast empire of Russia is supplied with China goods and manufactures, on much better terms than we can supply ourselves by the Cape of Good Hope, and the overplus is exported by nations who do not enjoy the same advantages, which is greatly facilitated by their numerous rivers and ports in the Black Sea and its vicinity, and of which, in a few years, we would be the principal carriers.

Both in the ports of the Ottoman empire, and the Russian ports in the Black Sea, they require in return, some coffee; that from Mocha being only used by the opulent, or exported at a comparatively high price; sugar which we will in time be able to supply them with from the southern states; cochineal, indigo, some tobacco, dye woods, pepper pimento, ginger, spices, &c. which are disposed of to much greater advantage than in the ports of the Baltic; and foreign manufactures, which in time of war in Europe, are frequently in demand; and as the editor of the National Advocate justly observes in the paper republished in the National Register, before referred to, "that although it may not present a constant and profitable market for the overplus of our produce, yet at all events, on obtaining the free commerce of the Black Sea, it holds forth the strongest prospects of obtaining a great share of the carrying trade, in which the superiority of our mariners will always insure us the preference, as our vessels are much better equipped, and in general make a voyage in much less time than the vessels of any other nation." No doubt there are other advantages to be derived from having a commercial treaty with the Ottoman empire, with which we are as yet unacquainted. One disadvantage we labor under which I presume few are acquainted with, which is, that ever since the Geo. Washington was at Constantinople, in 1800—which was the first national ship that had ever

been there, and then against our will, under unfavorable circumstances, by no means tending to inspire respect for us as a nation, and no other having been there since, they naturally infer that we are extremely insignificant, or that we treat them with great indifference, and do not conceive that their friendship is worth cultivating; and until we establish a commercial treaty with them, will invariably operate as a stimulus to induce the States of Barbary to commit depredations upon our commerce whenever we may find it inconvenient to continue a respectable squadron in the Mediterranean, for the advantages which we might derive from including an article in our treaty with the sublime porte, restricting those States from their piracies as regards our commerce, I refer to those numbers of the National Register before mentioned.

If you should imagine that this communication is of sufficient importance to merit insertion, I do assure you, sir, that it will meet the approbation of the mercantile interest of the United States, and that an advantageous commercial treaty may be concluded with the Ottoman empire including the free commerce of the Black Sea, as soon as will comport with the dignity and interest of the United States, is the wish of numbers of your fellow citizens.

J. L. C.

From the North-American Review, of May inst.

BANKRUPT BILL.

A Bill to establish a uniform system of Bankruptcy throughout the United States.

Washington, Feb. 27, 1818.

This bill gave rise to a discussion, which has not yet lost all its interest, or any of its importance. The question, as to what regulations shall be used for compelling the payment of debts, has always been found one of the greatest delicacy and difficulty; and although the practice of nations, upon this subject, has been extremely various, experience has not yet suggested a system free from important objections. In some countries the insolvent debtor has been viewed merely as a criminal, and punished as such. Other nations have acted upon the idea, that when he had become unable to answer the debt with his property, he should be compelled to do so with his body. In some of the countries of the East Indies, it is said, the creditor may not only reduce the debtor himself to slavery, but, likewise, his wife and children, and that he may even violate the chastity of the wife with impunity, though by so doing the debt is considered as discharged. This custom of selling the body of the debtor, who was unable to make payment, likewise existed at Athens and at Rome. Solon reformed it at Athens, and in imitation, as it is said, of the Egyptians, abolished all imprisonment for debt. He would not allow an individual, on account of a private obligation, to be withdrawn from the service he owed to the public. And an ancient historian adds, that some did justly

blame many of the *Grecian* law-makers, who forbade arms, ploughs, and other things necessary for labor, to be taken as pledges, and yet permitted the person, who used those instruments, to be imprisoned. But at Rome, the usage existed much longer, and was even incorporated into the laws of the Twelve Tables. The cruelties, which it enabled the creditor to practice whilst he held his debtor in domestic servitude; and the hardships it caused, if the debtor was transported, as he was liable to be, beyond the Tiber, and sold as a slave in a foreign land, rendered this law extremely odious to the Roman commonalty; and made it the cause of many of those secessions to the Mons Sacer, which sometimes seemed to threaten the very existence of the state. Under the Christian emperors was adopted a regulation of a very different character, by which an insolvent debtor, upon making a general assignment of all his property for the benefit of his creditors, was secured from imprisonment. It was first established at Rome by the Julian law, *de bonis cedentis*, but was afterwards much improved by Justinian, and formed into that system, which now constitutes the part of the civil law called '*cessio bonorum*.'

Other nations, whilst they have refused the creditor any immediate control over the person of the debtor, have allowed the latter to be confined in the public prisons, both as a compulsory means of enforcing payment, and as a check to that rashness, with which men are apt to contract debts they have no means of discharging. In France, before the establishment of a system of bankruptcy, imprisonment for debt was practised against merchants, although it was not allowed in other cases. The common law of England, for reasons founded in Feudal policy, did not permit the creditor to seek his remedy either against the land, or person, of the debtor. The first statute in Great Britain, introducing personal execution, was passed in the reign of Edward I, and was intended, as appears from the preamble, to secure merchants, and encourage trade. The enacting clause is in the following words—'And failing goods, the body of the debtor is to be taken and kept in prison till he agree with his creditor. And if he have not wherewith to sustain himself in prison, the creditor shall find him in bread and water.' The practice is still continued in England and, we believe, in each of the United States; though its severity is now greatly mitigated by allowing the debtor to be released after a certain time, upon his taking an oath of his inability to pay the debt, or support himself in prison. And even this limited term of imprisonment has lost its terrors, and in many places, even its inconveniences, from the practice, which generally prevails, of extending what are called the *gaol limits*, so as now to make the confinement little more than nominal. The attempts, which are constantly making to legislate upon this subject, either for 'the better security of debts,' on the one hand, or 'the relief of poor debtors,' on the other, manifest the dissatisfaction we feel under our present system; whilst the trifling result of these attempts evinces the diffi-

* When a debtor applies for the benefit of the law, his creditors are called together to deliberate, whether they will grant him a letter of license, by which he is left free from restraint for a limited time, (*omni corporali cruciatus semoto*;) or receive from him a general assignment of his property, and discharge him altogether from imprisonment. *Cod. Lib. 7. Tit. 61 L. 9.*

culty of substituting a better in its place. And it will probably be long before we shall obtain a system suited to all the classes of a community like our own;—a system which, whilst it shows that regard to humanity which the feelings of the age require, shall not trample upon the just rights of creditors, or remove any of those obstacles, which legislators are bound to oppose in the way of dishonesty, idleness, and extravagance.

But, in the mean time, there is one class in whom the contraction of large debts not only furnishes no evidence of criminal intention, but in most instances is not imputable even to extravagance or imprudence. We mean those engaged in trade and who are more immediately dependent upon the operations of commerce. Trade necessarily supposes the existence of credit, whilst credit places a man's success beyond his own control, and makes him, in a greater or less degree, dependent not only upon the good faith, but even upon the skill, the prudence and the good fortune of others. But at the same time the greater the necessity of credit amongst any class of men, the greater must be the sacredness with which it is preserved, and the more exact the punctuality with which engagements are fulfilled. It was therefore soon found, that the ordinary means for enforcing the payment of debts would not answer the purposes of an extensive and liberal commerce. Hence has arisen, in almost every commercial country of the world, that system of laws, denominated Bankrupt Laws. It is a common but very great mistake to suppose, that this system is intended merely or principally for the relief of the debtor. Those, who have hitherto opposed its adoption by us are, for the most part, such as, considering the inefficiency of our present laws for the security of the creditor, have thought that the mischief would be increased by giving to debtors that more complete relief, which they imagine it is the sole object of a bankrupt system to afford. But the fact is, wherever such a system has been adopted, it has been with a view to the creditor's advantage. The first statute of bankruptcy passed in England was enacted in the reign of Henry VIII, when the principles of commerce first began to be understood. It is entitled 'an act against those who make bankrupt;' and the preamble which is in the following words, will show the spirit in which the act was framed, and the objects it had in view.—'Where divers and sundry persons craftily obtained into their hands great substance of other men's goods, do suddenly flee to parts unknown, or keep their houses, not minding to pay or restore to any of their creditors, their debts and duties, but at their own wills and own pleasures consume the substance obtained by credit of other men, for their own pleasure and delicate living, against all reason, equity and good conscience. Be it therefore &c.' Throughout this and several of the subsequent statutes, the bankrupt is uniformly styled an offender. In process of time, however, more liberal views began to prevail; and it was thought practicable to give these laws such a character as should operate beneficially upon the debtor as well as the creditor; and make them the means of preventing oppression in the one, as well as fraud in the other.

In France the word *bankrupt* yet retains its original signification, and is used to denote a

criminal. The laws of that country* make mention of two kinds of bankruptcy—simple and fraudulent—the former arising from imprudence or extravagance; the latter, as the word denotes, attended with some circumstances of fraud or unfairness. Both species of bankrupts are amenable, though in different degrees, to the criminal laws. A person, whom we should denominate a bankrupt, that is, one who has become unable to pay his debts, but without fault, is said in France, merely to have failed, and is styled *failli*. The bankrupt law of Spain makes a similar division of insolvencies with that of France,—as they are marked merely by misfortune, by negligence or by fraud; and directs that persons, guilty of the latter kinds, be delivered over to the civil authorities for punishment. Thus we find that these are laws against debtors. And though they do in the end afford succour—most liberal and humane succour—to misfortune; we are authorized in the assertion, that this has, in no country, been the primary object of their enactment, or the only important one which they are considered capable of accomplishing.

The principal advantages of a bankrupt law may be stated to be—that they give the creditor a power of checking the career of their debtor, before he shall have stripped himself of the means of making any satisfaction of his debts;—that they bring to light property of the debtor which would otherwise be concealed from view; that they place creditors whose claims are equally meritorious upon an equal footing;—that they entitle the creditor to the fullest acquaintance with the affairs of the debtor; and that they offer, some of them by direct punishments, others indirectly, discouragements to imprudence and extravagance. To effect these objects, the debtor is threatened, on the one hand, with the severest punishments, if he attempts to evade the injunctions of the law; and, on the other, he is promised, in case his conduct has been fair and honest, greater or less facilities for commencing anew a course of honest industry. These are professedly the objects of all bankrupt laws, though they have been stated with more particular reference to the English system, to which our remarks will be principally applied. The bill which we have placed at the head of this article, and which is the one lately debated in congress, is framed entirely upon the principles of the English law; and should we ever be so fortunate as to obtain a uniform system of bankruptcy, it will in all probability be one after the same model. To the countries we have already mentioned as having adopted the bankrupt system, should be added that of Holland, although its laws on this subject contain no important characteristics which are peculiar to themselves. This consentaneous practice of all commercial countries would seem of itself to furnish an argument upon the subject. The same experience, which has taught them, will probably in time teach us, that some regulations of the kind are required by the necessities of commerce.

We have observed that one of the advantages to creditors contemplated by a bankrupt law is,—that it gives them the power of checking the debtor's career, when it appears that his affairs

have taken a disastrous turn. Perhaps, in this particular, they have not answered their purpose so well as was anticipated. The law of England has specified certain acts of the debtor,—such as staying at home, and denying himself to a creditor who comes to demand payment; flying from the country; lying in prison for a certain time without procuring bail, &c. &c.;—which are technically denominated 'acts of bankruptcy.' It was probably the object of the statute merely to point out some examples of what might be considered the indicia or signs of insolvency. But owing to the construction which has been given to this clause, any one of the acts enumerated, of itself, makes a man bankrupt, and no other proof of insolvency, however conclusive, can be admitted to supply their place. As all the acts, except the one of lying in prison without procuring bail, are voluntary on the part of the debtor; it follows that a man may be, and in fact it often happens that he is, notoriously and avowedly insolvent, long before his debtors can subject him to the bankrupt laws; whilst on the other hand a man by committing one of these acts, may be made a bankrupt, though he has property sufficient to pay twice the amount of debts which he owes. In the law of France, as it existed before the revolution, *flight* was the only 'act of bankruptcy,' mentioned in the sense in which the term is used in the English law. In other cases, if a man refused payment, closed his shop or counting room, made a fraudulent assignment of his property, or committed some other *overt* act of insolvency; any one creditor might apply to the consular court, who thereupon cited the debtor before them, when the question of 'solvent or insolvent' was tried in a summary way; the debtor being obliged to produce at the trial all his books and papers. If he were found insolvent, the seals were affixed to his effects and property; and the bankruptcy was considered as commencing from the moment of affixing the seals. In the commercial code of Napoleon the overt acts, upon which the proceedings against the debtor must be founded, are particularly specified; and the bankruptcy is considered as commencing from the time, that one or more of them are committed. So that in this particular there is now no real difference between the systems of England and of France. It may not be expedient to allow the solvency of the debtor to be called in question from caprice or groundless suspicion, as might sometimes be done, if the law were to leave the acts of bankruptcy or signs of insolvency entirely undefined. But if the laws undertake to enumerate these acts, the enumeration should, surely, be as general and as complete, as the nature of the case will admit of. In this respect the English laws certainly appear susceptible of improvement;—an improvement, however, which was not even attempted in the bill now under consideration. An entire stoppage of payment, unless attended by some one of the few acts mentioned in the statute, would not authorize creditors in England to sue out a commission of bankruptcy against their debtor. Whether it would upon the whole be advisable to increase the number of what are termed 'acts of bankruptcy' or not, it certainly would be doing no more than justice to creditors, to point out other circumstances, under which, according to the old rule of the French law, they would be authorized to put in issue the

* Les Cinq Codes De L'Empire Français. Code de Commerce, Liv. iii. A translation of the Code de Commerce, with learned notes, may be found in the American Review, Vol. ii. No. 2.

question of their debtor's solvency or insolvency. But notwithstanding this defect in the English system, its influence even in the respect we are now considering has not been unimportant. For to say nothing of the probability that an insolvent person will commit some one or another of the 'acts of bankruptcy,' he is much more likely, where such a system is in operation, to make an early disclosure of his situation, than he would otherwise be. Under laws like our own, a man in embarrassed circumstances, so far from finding encouragement to avow the state of his affairs, looks forward to an acknowledged failure, as to an event by which all his hopes must be eternally blasted. To pay the whole of his debts he knows he is unable; and to effect a compromise of them, can hardly appear much easier, whilst the success of the most equitable arrangement he can propose, may be defeated by a single hardened, or exasperated creditor. He therefore studiously conceals his situation, and seeks to recover himself from it by desperate efforts. He rushes headlong into the most unbounded speculations; until when he falls, as in most instances he will, it is to draw others after him, who would otherwise have stood unmoved. But under a bankrupt law, failure would not be viewed as absolute and irretrievable ruin. A person therefore, in fact insolvent, finding fewer temptations to the contrary, would be more likely to yield to the dictates of honesty, and make a seasonable acknowledgement of his embarrassments. Besides this, the debtor knows that before he can obtain the benefits of the law, his whole conduct must be laid open to the inspection of his creditors, and obtain their approbation. And he can hardly flatter himself with obtaining (as it is necessary he should) the assent of two thirds of them to his discharge, if after having himself become apprized of his situation, he shall go on to waste his resources and extend his difficulties, by obstinate and useless attempts.

But another great advantage, which we mentioned, as resulting from a bankrupt law,—perhaps it is the greatest,—is the giving an equal chance to creditors, whose claims are founded in equal justice. The whole system of favoritism in the payment of debts,—with all its train of assignments, trusts, secret conveyances and friendly attachments,—is destroyed at a blow. By our present laws a debtor has a perfect right to prefer any one creditor to the utter neglect of the rest; and even an assignment to secure endorsers who have not yet incurred any liability is good, and will be protected. In consequence of which, merchants have now established the principle amongst themselves, that endorsements and accommodation loans are to be satisfied to the last farthing, though the other creditors should thereby be compelled to lose their whole demands. Endorsers, who have given to the debtor that show of wealth, by which others have been induced to trust him; who have lent him the false colors under which he has been enabled to push his enterprizes beyond what prudence would authorize or his real capital could support;—they are to be paid—principal and interest—whilst the trader, who has had no dealings with the debtor but in the ordinary course of business, is to obtain nothing. A merchant's endorsers are commonly those who are best acquainted with his transactions, and would probably be the first to discern any unfortunate turn

in his affairs; yet they may be kept quiet by the assurance that in any event they shall be secured;—whilst the debtor goes on to make new purchases, and contract new debts. They too, who, for the same reason, could best tell where to seek for the credits and secret property of the debtor, are to be satisfied and quieted by an assignment of all his *visible* property; whilst the other creditors, some of whom probably furnished, upon the sole responsibility of the debtor, the identical goods which have gone to secure the endorsers, are left to seek out the *invisible* property, as good fortune may direct them. The prevalence of this idea, that endorsers are at all events to be secured, would of itself furnish a sufficient argument for the establishment of some system of bankruptcy. And so far is such a system from encouraging men, as is sometimes alleged, to trade too far beyond their capital, that in this way it would have a directly opposite effect. If endorsers were obliged to share, alike with other creditors, the rashness with which names are now lent would be checked; and there would be less of that false credit, which a man obtains from the fact, that he has in some instances commanded the guaranty of those who are better known, and more confided in, than himself. But a preference of any creditor, whether an endorser or not, may extend the mischief of a failure infinitely farther, than it would otherwise have reached. Many a man has been ruined by the failure of another, who would have remained unshaken, could he have obtained such a dividend, as the property of the debtor was able to furnish. It is the object of the law of bankruptcy, like that of insurance, to divide amongst many a loss, which must fall somewhere. Under our law authorizing attachments on *mesne* process, it is next to impossible for the debtor, however honestly inclined he may be, and however clear his perception of what is right, to make a proportionable distribution of his property. A proposal of the kind would be an acknowledgment of insolvency; and there is scarcely a creditor who would not consider it as an invitation to secure his whole demand by making the first attachment. An assignment, too, for the benefit of creditors generally, is void; one for the benefit of particular creditors is only good as to those who assent to it. And a man may reasonably calculate, that so many will agree to an assignment, as may thereby be secured the whole of their debts. An insolvent person therefore, seeing that he cannot deal equally with all, naturally enough perhaps, avails himself of the privilege which the law allows, and gives the preference to those by whom he has felt himself most obliged in the course of his business, or to those in whom, from friendship or affinity, he feels the strongest interest.

Again, it is an object of bankrupt laws, to discover and secure property of the debtor which might otherwise escape the view, or elude the grasp, of the creditor. A very large part of the wealth of every merchant is of that invisible kind, termed credits. Under our present law it is always difficult to ascertain where this kind of property is; and sometimes impossible to obtain any benefit from it, when discovered. If, for instance the debtor has thousands owing to him upon negotiable notes; we have no means of compelling him to make payment, but the dilatory and now ineffectual one of imprisonment.

But by a bankrupt law every species of property, whether consisting of lands, goods or credits, is instantly divested out of the bankrupt, and transferred to assignees, who hold it for the benefit of all the creditors. The bankrupt is compelled to give upon oath, and under the severest sanctions of the law, the most unreserved account of his property, of its situation, of his conduct towards it, and of the causes by which his losses have been occasioned. Thus creditors are furnished with every facility, which can possibly be given them, for bringing within their view and control all the property of the debtor. They are likewise let into the history of his misfortunes; and are then left to decide how much mercy he is entitled to receive. We have already stated that the laws of France and Spain, for the purpose of discouraging extravagance and imprudence, have provided punishments for bankruptcies arising from such causes. The laws of England think to attain the same object, by making it optional with the creditors, in every case, whether they will sign the certificate, by which alone the debtor can be discharged from farther liability.

It has been plausibly objected to these laws, that they have a tendency to multiply crimes. And the various kinds of fraud, for which they provide punishments, are referred to in support of the objection. This appears as correct, as it would be to say, that the laws against robbery create crimes. In truth, they do so. But then, in both instances, the acts contemplated by the laws precede the laws. Thus men '*animo furandi*,' do secretly or violently possess themselves of their neighbour's property; and then laws are enacted, by which such conduct is for the future made criminal. So debtors do now conceal their property from view—they satisfy one favourite or dreaded creditor to the utter neglect and perhaps ruin of others—they make false representations of their affairs—and continue to live in idleness upon property, which in justice belongs to other men. All these acts are already practised; and a bankrupt law would merely pronounce them criminal and provide punishments for their commission. It is true that under the best system of bankruptcy, frauds will still, in some instances, be committed; and so, men do sometimes steal, the State Prison notwithstanding, and yet we do not consider this as a reason for abolishing our laws against larceny. As to the bloody sanctions of the bankrupt law, they are but a counterpart to the rest of the criminal code of that country. There must be something very singular in the construction of a bankrupt law, if it really furnish facilities or temptations to the very crimes, it was made to interdict. In France, although formerly some species of fraudulent bankruptcies were punished with death, yet after a long experience upon the subject, it is now considered safe, in no case of the kind, to allow a severer punishment than imprisonment for life, and in very few, a severer than imprisonment for a limited term. Imprisonment for years was the highest penalty mentioned in the former law of the United States, or in the bill we are now considering. Indeed, the man who adds perjury to fraud for the sake of securing to himself property, which in law and morality belongs to his creditor; who seeks to avail himself of the liberal rewards of the bankrupt system, whilst he evades its just requisitions, can scarcely be

considered better, than the one who secretly takes a purse from the pocket of a stranger. Since, therefore, the laws of England have seen fit to punish robbery with death, it was with perfect consistency, that they provided a similar punishment for cases of fraudulent bankruptcy.

It only remains for us to consider the provisions which the bankrupt law makes for the protection and relief of the debtor. And here we will notice the most important, and in fact, the only essential difference between the system of England, and those of the commercial countries on the continent of Europe. In France, when the persons and effects of the debtor have been secured, and the creditors have been furnished with the statement of his property, his debts and the causes of his misfortunes, if there appear no reason for suspecting him of bankruptcy, that is, of fraud or criminal extravagance, he is permitted to make the best general compromise with his creditors, that he can. The compromise, in order to be binding, must have been proposed at a regular meeting of the creditors, and approved by the vote of three fourths in number and value. The terms of it vary according to circumstances. Sometimes there is a general assignment of the debtor's property, and a release, general or partial, on the part of the creditors. Sometimes there is no assignment, but the creditors give the debtor a kind of letter of license, or, in other words, give him an extended term of credit. The same mode of proceeding prevails in Holland and Spain; and the whole plan is founded in a slight extension of the principle of the civil law rule concerning the '*cessio bonorum*.' The only advantage then, (but this is a very great one,) given the debtor by the bankrupt laws of those countries, is the freeing him from the caprice or revenge of any single creditor, and enabling him to effect such a compromise, as shall appear fair and equitable to a specified majority. But in England the rule is different. Having made a proportionable distribution of the whole property of the debtor; if no fraud can be charged upon him, and two thirds in number and value of his creditors will give their consent thereto, the law discharges him from any farther liability on account of the debts which were, or might have been, proved under the commission. This provision we believe to be founded in justice and practical good sense. The law sees the extreme improbability, not to say impossibility, that the creditors will reap any real benefit from retaining their power over the debtor, after they have once stripped him of all his property. Take the most favorable situation in which the debtor is likely to be placed under the French law; suppose that he has obtained a renewed term of credit, after his insolvency has been published to the world, as it must have been by the proceedings under the bankrupt law, is it possible that he will obtain that character for responsibility, which is absolutely necessary to his carrying on business to the smallest advantage? Will the same creditors trust him, to whom he already owes more than he is able to pay? Will others, when they know that, at the end of a certain time, his property must become answerable for debts which he has not, at present, the means of discharging? The chance must be very small, that at the expiration of the term of credit, he will be able to make a more complete satisfaction of his debts, than he

could have done at the moment of the failure. The law of England, therefore, takes from the creditor no real advantage. True, it deprives him of a right, he would otherwise possess;—but it is a barren, useless right;—a right to strip the naked, and to butcher the dead;—or else it is a right wantonly to oppress and to punish, without prospect of producing amendment. The man who desires such a right is not fit to be trusted with it. But whilst this provision, in fact, takes nothing from the creditor, it gives every thing to the debtor. Without it, stripped of his property, and the weight of his former liabilities pressing upon him, it is impossible he should ever rise. Indeed, the restoration of the debtor to his hopes and his usefulness, seems not to have made a part of the policy of the French law. A failure in France operates as a sort of civil death.* The insolvent debtor can hold no civil office, cannot be an exchange broker, executor, trustee or guardian; can never appear upon the public exchange, until he has obtained a decree of '*rehabilitation* or restoration to his former rights of a merchant. And the condition of his obtaining this *rehabilitation* is, that 'he prove that he has paid the whole of his debts with interest and costs.'

A bankrupt law is intended merely for traders. But owing to the loose construction which has been given to the English statute, its benefits are often claimed by men for whom they were never intended, and whose embarrassments have in no degree arisen from the accidents of trade. The law formerly existing in the United States had, in this part, copied the expressions of the English statute, and was similarly construed. This circumstance was attended with great inconveniences; which the bill now before us had provided against, by using such expressions as would have confined its operation to the proper objects of such a law. Yet this feature of the bill has been made a ground of argument against it. We would only observe in reply, that whether a bankrupt law, which shall apply to every class of citizens, be desirable or not, we do not believe that it is for Congress to make such a law. The expression, 'uniform system of bankruptcy,' was undoubtedly used in the constitution, in the sense which every commercial nation in the world had attached to it; and such a power was given to Congress, as part of their general power of regulating commerce with foreign nations, and between the different states. It was wisely given for the purpose of preventing those evils we are now suffering from the operation of bankrupt laws of the individual states. But it is only traders who have any extensive connexions with the citizens of other countries, or other states. The debtors and creditors of men, who are not engaged in trade, may generally be found within the compass of a small neighborhood.

Let Congress then pass a bankrupt law, in the proper sense of the word; that is, one which shall apply to merchants and traders. And afterwards, if any state thinks it expedient to pass a similar law, which shall apply to farmers, law-

* The French Constitution of 1799, which we believe, continued in force until the restoration of the Bourbons, contained this clause:—'The exercise of the right of a French citizen is suspended *par l'état de débiteur failli*.'

Montesquieu mentions, in terms of strong approbation, a law of Geneva, by which the children of a person, who had died insolvent, were excluded from civil offices, until they had discharged the debts of their parent. *Éq. des Lois*, liv. xx. chap. 16.

yers, day laborers, or all other classes of their own citizens, there is nothing to prevent their so doing. We should have no objection to seeing the experiment made, although we have no wish that our own state should be the first to make it. Because a farmer, from a momentary inability to discharge a debt should happen to 'commit an act of bankruptcy,'—instantaneously to transfer his land and all his other property from his possession: to subject him to the jurisdiction of an extraordinary tribunal; to compel him, under the heaviest penalties, to give testimony against himself;—would, we suspect, be considered a most grievous hardship; whilst there is nothing in the pursuits of a farmer, or in the nature of his property, which demands, as in the case of the merchant, or even justifies such a departure from established usage. And as to the benefits which a law of the kind affords to the debtor, it is only the trader who is obliged by the very nature of his pursuits to contract extensive debts. Other men may occasionally be disappointed of a part of their expected income, but the merchant puts his whole capital at risque. He, too, is exposed to perils and accidents by which other men cannot be affected. A storm on the ocean—the carelessness of a sailor—the failure of a foreign merchant—or a change in the politics of a foreign government, may defeat the best commercial scheme, and reduce its projector from opulence to beggary. After all, commerce is but a game of hazard; although, like other games, it has its rules, which it requires judgment to understand and skill to apply. But in other pursuits, knowledge and industry and perseverance are pretty sure to reach the objects at which they are aiming. In other pursuits, at least, the amount of profits may be calculated beforehand, with some degree of exactness; and it is a man's own fault, if he does not make his profits the measure of his expenses.

But the most important reason for granting this relief to traders is, that without it, they can never recover from the effects of an insolvency. Credit is the life-blood of their business; and this, a man who has publicly failed will in vain seek for until he has freed himself from his former liabilities. Such a person, therefore, unfitted by his education for other pursuits, unless relieved by a bankrupt law, generally becomes a useless burden to society. The number of persons of this description in the United States, is already alarmingly great; and must be daily increasing. Among them are thousands and tens of thousands, once distinguished for talents, enterprize, industry and activity; who entered upon life with high hopes and flattering prospects. Many of these have so long been the victims of anxiety and disappointment, that their habits of industry are now lost—their spirit of enterprize is broken down, and their talents are dissipated. But this is not the worst. Many—very many, it is to be feared, have been living from day to day, upon property not their own; and which they have hid from the view of creditors, to whom it belongs, by the veil of fraud and prevarication, till their moral feelings have become blunted, and the bread of dishonesty has lost its bitter taste. But yet there are many others, whom a bankrupt law would awaken to new life, and restore to their wonted pursuits, with most of their former hopes and all their former capacities for usefulness.

SOUTH AMERICA.

The following are translations made for the Aurora, from the official despatches received by the envoy of the united republics of New-Granada and Venezuela, containing details of the various military operations, in the months of January, February and March of the present year.

Copy of a proclamation issued by the commander in chief of the armies of Venezuela.

Simon Bolivar, supreme chief of the republic, and captain-general of the armies of Venezuela and New-Granada.

To the inhabitants of the free countries of the republic, and to all those who are so unfortunate as to be under the authority of the agents of the Spanish monarchy.

Convinced as I am, that an involuntary error, or the too successful arts of the public enemy, could have prevailed on the sons of America to remain under the banner of their cruel oppressors of Spain; and that when once undeceived they must feel no wish more powerful than to return to the bosom of their country, and aid in the cause of its independence and happiness, and to avenge the injuries the ignominy, and the contumely, to which they have been exposed by the officers of the tyrant of Spain, as a recompense of their services and sacrifices; I decree as follows:

Art. 1. An oblivion and amnesty shall be proclaimed, and it is hereby proclaimed, in favor of all Americans, and to all persons, wherever the place of their nativity may have been, upon condition only of laying down their arms, or coming and surrendering themselves to some post or place, where any detachment of the liberating army is stationed, or to any magistrate or civil officer, acting under the authority of the republic, within three days after the publication of this proclamation.

Art. 2. Those who shall abandon the royal army, and present themselves at any post, headquarters, or military corps, of the liberating army, and who shall have held any commission in the royal army, shall be entitled to the same rank on joining the army of the republic; and should they bring with them their corps, or any considerable part thereof, they shall be entitled to a higher grade than that which they before held; or should they be able to show that they have before abandoning the royal army, rendered any important service to the cause of the republic, they shall also be entitled to an additional grade.

Art. 3. All the benefits extended to the military in the preceding articles, shall be in like manner extended to civil officers of every degree, who shall abandon the country or place occupied by the royal forces, and join the army of the republic, or who shall prevail upon the people of their districts in which they reside to resist the royal authority.

Art. 4. As many Creoles have been seduced by the deceits and artifices of the royal agents to take part against their native country, and many of them by their zeal and intrepidity rendered services to the royal cause, which they may suppose cannot be forgiven, it is hereby declared, that aware of the deceits under which their ardent minds and generous character have been overcome; and that it is owing to their unsuspecting confidence in the declarations of their betrayers, to whose wiles they unhappily confined their own honor; it is hereby declared, that the moment they abandon the banners of their tyrants and seducers, and return under the banners of their

beloved country, all past acts under such delusion will be passed into oblivion, and they shall obtain that place in the service of the country to which their future services in its cause shall be found to entitle them.

Art. 5. The same benefits are declared to be extended to all officers, and non-commissioned officers, and privates who may be natives of Spain or of any other country, and who shall come into the head-quarters of the army of the republic, with or without arms.

The present proclamation shall be printed, published and circulated in every district of the republic.

(Signed)

PEDRO B. MENDEZ, Secretary.

BOLIVAR.

To the people of the Province of Caracas.

PROCLAMATION.

PEOPLE OF CARACAS!—The victory of Calaboso has reduced our oppressor Morillo to the necessity of a surrender or flight. Hemmed in on all sides—his auxiliary corps cut off—his communications intercepted, and reduced to the last extremities in the very centre of Venezuela, very little remains to release your country from the remnant of the Spanish army, which came from the banks of the Garonne, to overwhelm a second time in massacre and conflagration, this delightful region of South America.

Inhabitants of Caracas, the government of the republic begins once more to enjoy the glories of an army of freemen, triumphant over the minions of tyranny—liberty, equality, and independence approach to reward our constancy, our courage, and the blood which has been shed in their cause: the reign of the monsters has terminated, the glory of the republic is once more restored, and resplendent after sacrifices that must excite the admiration of all America and of future history.

People of Caracas—Under the auspices of an army of heroes, you are once more free; your liberators, indifferent to privations of all kinds, have rushed into the field of battle, and braved death in every form, for the honor of their country and the happiness of your children and posterity: Be not apprehensive therefore, and once more prepare to receive your protectors in your illustrious capital.

BOLIVAR.

Head-quarters at Rastro, near Calaboso, 14th Feb. eighth year of the republic, A. D. 1818.

PROCLAMATION.

To the people inhabiting the plains of Venezuela.

The whole of your territory is extricated from the oppression of the arms of the royal tyranny—from the centre of New Granada to the mouths of the Maturin and the Orinoco, the republican arms have gloriously triumphed over those of Spain. The numerous armies of Morillo and Boves, no longer exist on the surface of the soil consecrated to liberty, which has become their common grave; the cities of Calabozo and St. Fernando have found shelter under the banners of the republic, and the remnant of Morillo's army, after his defeats on the 12th and 15th become fugitives, have been forced after an ignominious flight, to take refuge within the walls of Porto Cabello: but even there they cannot escape—they shall be driven headlong into the ocean.

An army of freemen, constant, courageous, and true to themselves, are irresistible: Victory leads us and Venezuela, we will soon see either the surrender or the total annihilation of their cruel desolators and oppressors.

Inhabitants of the *Llanos* (plains) you are invincible! your cavalry, your lances and your deserts will forever secure you against the inroads of tyrants—and you shall be independent in despite of the imperious power and hatred of Spain and all who ally themselves against liberty.

The government of the republic guarantee, to you your safety, your liberty, and your property: place yourselves under the banners of Venezuela, your triumphant country. The campaign terminated by the occupation of the capital—you shall enter anew into the enjoyment of repose, of industry, prosperity, and all the blessings which are the natural rights of free and honest men. Your tyrants have hitherto divested you of those blessings: thank that benignant providence which has enabled you to assure to yourselves, that form of government which is most consonant to human happiness.

Head-quarters, Sombbrero, 17th Feb.

(eighth year of the republic.)

A. D. 1818.

The public will find in these official papers, materials to form opinions upon, and on the news which has been circulated in various modes by the agents of the royal Spanish government.

The following official paper, merits particular regard, as well from its matter and the persons addressed, as the eminent character of the man who subscribes it.

Those who have taken a rational interest in an event so stupendous in its consequences as the revolution of South America, must have noticed the inhuman massacre, by Morillo, of men of letters in New Granada, and among them the celebrated *Mutis Lazaro*, &c. whom Humboldt found in the Cordilleras, prepared with all the stores of analytic knowledge, and the refinements of modern philosophy, in chemistry, geology, astronomy, mathematics, botany, &c. Of that class of eminent men who distinguished New Granada, as well by their virtues as their scientific proficiency, *Francis Antony Zea* is one. This gentleman was one of thirty or forty accomplished men, educated in Santa Fe de Bogota, who having alarmed the *civilians* and the *priesthood* with apprehensions for the security of ancient dominations over mind and morals, caused them to be arrested, for entertaining opinions dangerous to *legitimacy*; so long as 1792, those young men were arrested, and the laws allowing a choice between trial on the spot or before the Spanish tribunals in Spain, they preferred the latter and were accordingly transported to Europe about that period; whatever may have been the cause, instead of being treated with severity, they were courted, and situations provided in Europe to engage them in the service of the royal authority. A *body guard* named American, and instituted for this purpose, provided stations for some; among those who continued to pursue the high road of science was the gentleman, whose name has induced this particular notice. He became distinguished in Spain, and travelled through Europe, every where meeting the respect of the learned and the virtuous. It may be imagined from his early career, that he was not involved in

the machiavelian adventures which have characterized the revolutions, conspiracies, abdications, and usurpations, and the final degradation of Spain. He found his way to London during those agitations, and a few years ago returned to his native country, more deeply impressed by his experience in Spain and other parts of Europe, of the duty which he owed his native country—here we see the philosopher, a legislator and a public ruler, directing the counsels of his countrymen, and arraying them in the cause of virtuous liberty and independence.

We cannot refrain on this occasion from reiterating that lamentation which we have so frequently made, on the infatuation which has characterised the policy of *this republic*, in relation to the new republics of the south—and the stigma which our hostility to the cause of a people struggling against tyranny, has indelibly fixed upon this nation.

REPUBLIC OF VENEZUELA.

FRANCISCO ANTONIO ZEA, *President, ad interim, of the council of government, chief of the Financial department in the council of state, Intendant general of the armies of the republic, &c.*

To the British officers, non-commissioned officers and privates, of the brigade of artillery; and of the four regiments enlisted under our standard.

Welcome at this favorable hour, illustrious defenders of liberty: welcome to the arms of your brothers, and in the bosom of your adopted country. Our brave mariners go forth to receive you far from our shores, and the hero who commands them, a foreigner like yourselves, can testify that we know how to appreciate the brave of all countries, who come to associate in the glorious cause of our independence.

This cause is worthy of you: it is the cause of wisdom and industry, of the arts and commerce—the sacred cause of social intercourse. and consequently that of every people, and of all men. It is principally so of your nation, who, being the most active, industrious, and commercial, ought to feel the greatest interest, that the Spaniards—avaricious usurpers of half the globe—should restore it to the human race.

This great act of justice claims the attention of enlightened cabinets, rather than that of armies; but, I know not from what fatality, Europe respects a government, which has had the stupid insolence to insult her by re-establishing the *inquisition* and other *inhuman institutions*, in the face of the Royal Society of London, of the Institute of Paris, and of hundreds of academies and universities! Posterity will with difficulty believe, that civilized Europe has tolerated in her bosom such a government; which, lavish of blood and horrors, slaughters as in the age of *Pizarro*, lays waste, burns, devours, and destroys; and in the delirium of the false hope of retaining a desolate dominion, would finish by depriving commercial nations of the valuable produce of our vast continent, and us of the products of their manufactures and ingenuity, rather than we should be free and happy.

Our independence alone can terminate so many evils; the world demands the independence of all America; and the brightest day of humanity will be that on which it is universally acknowledged.

This memorable event will, without doubt, mark the most distinguished period of all history:

—A new intellectual movement—a new impulse given to industry and to the arts, to agriculture and to commerce, will be its first effects.—America will offer to Europe thousands of new productions: and Europe in her turn will offer numberless new inventions to America: such will be the consequences of our independence, and such the ties of friendship which will unite the new with the ancient world, instead of the barbarous chain which has so long fastened her to Spain alone. Let us break it at once on the head of its government, and then Spain herself, free like us, may participate in the common advantages, and be thus reconciled to the human race.

Such is the sublime undertaking in which you have embarked with us, and to which we are conducted by a chief, covered with glory and full of virtue, generous, magnanimous, ever a patriot, always a citizen, and always the best friend of the defenders of liberty. Fly to his arms, follow him on his victorious march—be careless of your fortune, and that of your children, for whom he has provided; intent alone on the grand idea of freeing the land of Columbus, rush forth with us upon the Spaniards, and hurl them from our territory into the sea of the Antilles—let us at once show what an army of friends can do, composed of Britons and Venezuelians!!

Saint Thomas, of New Guayana, March 6, 1818.
8th of the Independence.

FRANCISCO ANTONIO ZEA.

THOMAS RICHARDS,

Secretary of the council of government.

Letter from Admiral Brion, commanding the naval squadron of Venezuela, to Don Lino Clementi, deputy of Venezuela.

St. Bartholomews, 12th April, 1818.

Sir—I have the satisfaction to inform you of my arrival at this island, in nine days from the Oronoco, with part of my squadron; by the enclosed official publications, you will see that our armies have obtained many successes, and continue to pursue with spirit their triumphant career. I have reason to believe that the head-quarters, of the supreme chief, is by this time established at Caracas. According to the information which I received yesterday, by the captain of a brig from Porto Cabello in nine days, the tyrant Morillo, arrived there supposed to be mortally wounded by a thrust of a lance, which penetrated his bowels; and the wreck of his army was left in the environs of Valencia, and in the Sierras.

I have here three of the ships which were laden in the Thames with troops and military stores and arms; I shall transfer my flag to one of them, a fine ship mounting 36 guns, and shall sail for La Guira in a few days. The miserable remnant of the Spanish marine in those seas, are too feeble to wait the approach of my squadron. We have received every kind of armament of which we stood in need, and more are expected every hour.

Your communications for your government, may be addressed under cover to the direction inclosed.

I have the honor, &c.

LOUIS BRION,

Admiral of the navy of Venezuela.

To DON LINO CLEMENTI,
Deputy of the republic of Venezuela residing in the United States.

Report of the commandant of the flotilla of the Venezuelan republic, made to Admiral Brion of the operations on the Oronoco, up to the capture of St. Fernando by the naval and military forces of the republic.

On board the Atrivada, in the Apure,
February 8, 1818.

MOST EXCELLENT SIR—I have the honor to inform your excellency that we entered this place of St. Fernando, with our flotilla, the 6th of the present month at midnight, with the loss of only three men killed and four wounded. On the morning of the seventh, one hundred and twenty men from the flotilla were detached in aid of the military force in pursuit of the enemy, who had retired during the night; but we were not successful in discovering the least traces of them, so rapid was their flight. I enclose herewith a return of the public and private vessels taken from the enemy, and of their armament.

No naval stores were found in this place, and we stand in much need of some for repairs.

ANTONIA DIAZ,

Commandant.

Return of the public and private vessels captured at St. Fernando, on the Apure.

Gun boat Venganza	1 4 pounder, brass
	2 swivels
Do. Guayaniga	1 8 pounder, brass
Do. Dolores	1 4 pounder
Do. Isabella	1 8 pdr. on the bow
	1 8 pdr. stern, both brass
	8 swivels
Do. St. Francisco	1 4 pounder
Do. St. Carlos	1 6 pounder
3 Flecheras, with	3 swivels each
	1 4 pounder, iron
	2 do. brass
	70 muskets
Found on shore	4 swivels
5 sloops	
3 perogues	
70 row boats	

St. Fernando, 8th Feb. 1818.

(A true return)

ANTONIO DIAZ,

Commandant.

Letter from N. Pomar, military commandant of St. Fernando, to the governor of the province of Guiana.
St. Fernando, 8th Feb. 1818.

Sir—After sixteen days of preparation, and many assaults on this place, the enemy silently abandoned their works in the night of the 6th instant, after having lost a great part of their land forces, who had come over, and claimed to rally under our standard, and who now compose part of our force.

We have found fifteen pieces of artillery, a quantity of ammunition, and 400 muskets; all the hospital and its stores; and six vessels of war, exclusive of what has been captured by a naval force.

The gallant general Paez, marched in pursuit of the enemy yesterday morning, and about noon overtook them in the forests of Vernaca, about three leagues from this place. In this action he did justice to his former gallantry and credit to our armies. I am not yet possessed of all the details, but I know that out of 600 men who fled from this place on the night of the 6th, there do not remain 200, who have not either joined our army, or been taken prisoners; and it is not pro-

bable that of those 200 any can escape; for it appears that at the commencement of the action, no man had more than 17 rounds of ammunition.

The capture of St. Fernando has put the republic in complete possession of the whole of the Llanos (plains) and secures the free commercial intercourse between the interior provinces.

I congratulate you and all our fellow-citizens on this happy event.

N. POMAR.

Military commandant at St. Fernando.

BULLETIN.

Head Quarters of the liberating army of Venezuela 12th February, 1818.

The army of Guiana, commanded by the supreme chief, commenced its march from the city of Angostura to the Apure, on the 21st December, 1817, part by water in the flotilla, and part on the left margin of the Orinoco, till they reached the mouth of the Pao, where they were joined by the division of general *Monagas*; passing to the right bank of the Apure, the army was joined in Cajeara, by this division of cavalry of general *Sireuico*, and after which they repassed to the left bank of the Apure, a few miles above its mouth; and the division of Gen. *Paez*, joined the army at St. Juan de Payara, on the 31st January, where the whole army was organized, and on the 6th February, the whole army recrossed the Apure near St. Fernando; and in six days, that is on the 12th, at 7 o'clock in the morning, the city of Calaboso, then the head-quarters of the royal army under general Morillo, was invested by the army of the republic. The army of the republic was formed in two lines, the main body of its cavalry on the left.

The following were the dispositions of the enemy:—The right composed of the regiment of hussars of Ferdinand VII. the regiment of infantry of the union and of Navarre: their left was composed of the regiment of Castile (infantry) and some irregular levies. The enemy's hussars attempted to turn our left flank: they were separated from their line. Our battalion of infantry of Barcelona, was directed to occupy the attention of those cavalry, while our cavalry wheeling upon its left in entire squadron took them in the rear; the royal cavalry perceiving the peril in which they had been placed by this manœuvre, instead of remaining to share in the battle, took to flight on the road to Calaboso; only 80 men escaped by the fleetness of their horses, and there took refuge. At the same instant orders were given to charge the enemy with the bayonet. One half of the royal infantry perished. All the grenadiers and light infantry of the royal force remained on the field of battle. The regiment of Castile which composed Morillo's left wing, made but one movement, that was a panic flight without firing a single cartridge; they secured their escape only by being nearest to the entrenched works of Calaboso. But those works are not competent to hold out a siege already commenced.

General Morillo, with all his boasted skill, has suffered himself to be surprised in the midst of those immense plains, and appears no longer to possess the qualities of an able or skilful officer, if he ever possessed any; and is unable to oppose with confidence an army like ours, which has marched 300 leagues to surprise him. For the first time since he has arrived in America, that

he drew his sword to come to regular action, he has been completely put to the route: and after all he escaped from the field of battle, and it was only by the interposition of two hussars who alone accompanied him in his flight, and who fell by his side, that he was not taken. After all, general Morillo, this ferocious pacificator of South America, was surrounded in the centre of Venezuela, by his own incorrigible imbecility, or rather the celerity of our movements. Such is the picture which the action of Calaboso exhibited to the military world.

The rest of the royal army is cut off from their head quarters, and our troops are in pursuit of them in all directions. Thus has been decided the fate of the republic without even the formalities of a regular action. The impetuous charges of our cavalry have accomplished every thing, and they alone fought at Calaboso; for excepting the small battalion of Barcelona, no other part of our infantry came into action.

The generals Serenio, Monegas and Paez, have distinguished themselves, and in three days action, have added proud trophies to those which they had already acquired.

Our loss killed and wounded does not exceed 20 men. Captain Brito is among the first, and among the wounded lieutenant colonels Melina and Blanca.

Head Quarters, in camp before Calaboso.

C. SOUBLETTE,
Chief of the general staff.

BULLETIN.

Of the liberating army 17th Feb. 1818.

General Morillo being penned up in Calaboso after his defeat on the 12th, the dispositions of the liberating army were made to form a line of circumvallation so as to cut off all ingress or egress from the place, on three sides; and the head-quarters of our army was established at the village of Rastro. On the 14th at 12 at night the enemy made a silent march, and effected their escape through a natural defile, leaving their whole artillery, and a considerable quantity of muskets, ammunition, their hospital and various stores.—Morillo in his flight took the most difficult mountain track, perhaps ever before trodden, in the direction of Sombrero; on the morning one of our out posts discovered their line of march, and the army was instantly put in motion in four divisions. On the fifteenth at four in the afternoon, a squadron of the cavalry of our vanguard, overtook a column of the enemy as they defiled on the plain of La Auriosa; a small squadron of the enemy's cavalry which covered the Spanish column attempted to arrest the movement, but without effect; their cavalry were charged with impetuosity and overthrown in an instant, and the infantry compelled to halt and form in order of battle our advanced guard finding the column too powerful for the attack by a small corps, resorted to the stratagem of skirmishing on its flanks and rear, so as to delay its march till our main force should arrive; but night coming on before our infantry could come up, and the enemy's column, had an opportunity to resort to the forests and the mountains and thus escaped during the night.

The result of this encounter between our vanguard and the enemy's column, was their loss of a great number killed and wounded, principally European troops, and many others have fallen

into our hands as prisoners. Our troops being better acquainted with the country, it was determined to intercept them by a short route. The pursuit was however continued the whole of the night of 15th, and on the 16th they were again overtaken at the pass of the Guarico, near Sombrero; where our hussars of the van-guard again compelled the enemy to halt and form. The position which they selected was very judicious and formidable, traversing the only road which was strait, and flanked on each side by positions calculated to favor ambuscades; the river and a perpendicular ravine were in their front; so that at first there did not appear any point by which they could be approached with a sufficient front to make an impression; after a short reconnoitering the plan of attack was determined: our infantry was formed into columns of attack; and in spite of all the difficulties which the position presented, they moved on in a firm phalanx, the guard of honor of the supreme chief claiming the honor to lead, which was cheerfully conceded, and they led on with an intrepidity worthy of patriots and veterans; the battalion of Apure and Barvento were formed into two columns, and no sooner had the first column entered the defile, than these two followed, and directed themselves against different points a most terrible action took place. The first column would have forced the defile in the first instance, without the aid of the two columns reserved, had there not been some delay of the arrival of the cavalry at the moment appointed, where they were directed to act on the enemy's rear; the leading column was therefore obliged to wait some time for their arrival; but the enemy impressed by the coolness and order of the leading column, found it necessary to retire; which he did precipitately, leaving 150 prisoners, and the ground covered with his dead and wounded; and continued his retreat by the route of Barbacoas, where he arrived the same night, and at this moment he is in rapid march by Comatagua. Such has been the precipitancy of his retreat, that his troops have no time for rest, and the European Spanish soldiers unable to sustain the fatigues, are found on the whole line of his route, exhausted and unable to march, surrender themselves our prisoners.

The loss of the enemy since his retreat from Calaboso, exceeds 800 Spaniards, killed, wounded, and prisoners: the royal army has in fact disappeared, and those who have survived the combats, are destined to fall victims to hunger and fatigue—thus has perished another army of the tyrants, and the flag of freedom once more waves over Venezuela, without a foe to molest it.

Our losses in these actions are inconceivably small, they do not exceed eighty men killed and wounded, amongst the former colonel Passoni, adjutant general, attached to the general staff of the army; the captain Arabello, and lieutenant Girardeau, of the guard of honor; captain Urbina, of the battalion of Barvento, and captains Ramirez, and Bosalez, of the regiment of Apure. Amongst the wounded are brigadier general Josea Anzoatigue, commandant of the guards of honor; lieutenant colonel Ponce, major Gil, captains Tilones, Mixaries, Colmonaries, Narago, and Pulido, lieutenant Andara, sublieutenants Melian, Saraga, Sanchez and Bustillez, all of the guard. The three latter are very dangerously wounded. All the Llanos (plains) are free, the enemy is without troops, without horses, with-

out supplies, and without public opinion—and unable to defend the capital, towards which the liberating army is now directing its way.

Head Quarters, at Sombrero.

C. SOUBLETTE,
Chief of the general staff of the army.

From the Milledgville Journal of May 5.

LATE FROM THE ARMY.

The army under general Jackson arrived at Suwanney, 110 miles from St. Marks, on the 16th of last month. The Indians being apprised of the approach of our troops, had removed the women and children, and the most valuable part of their property, to a place of safety. The town was defended with some spirit by about three hundred negroes and savages for 8 or 10 minutes, when they broke and fled—five were left dead on the field, three were taken, and a number it is thought lost their lives in attempting to cross the river, which opposite the town is wide and a beautiful stream, navigable for vessels of considerable burthen. They were pursued, as far as a want of provisions would permit, without effect. Corn, skins, and other property to a considerable amount was destroyed, and the town, handsomely situated and supposed to contain 600 huts reduced to ashes.

A schooner with a valuable cargo of goods consigned to Arbuthnot, who had a store at Suwanney, was lying a short distance below—a detachment had been sent to take possession of her, and little doubt was entertained of success, though the fact had not transpired when our informant left camp. The army on its way down, fell in with a wandering party of the enemy; one was killed and three made prisoners. During the whole time the whites sustained no loss, although they suffered greatly from hunger, fatigue and want of clothing, many of them being barefooted.

General Jackson, with the regulars, Tennessee volunteers, and a few friendly Indians, has gone to Pensacola, of which place it is understood immediate possession will be taken. Strong garrisons are left at St. Marks, fort Gadsden and fort Scott.

Extracts of a letter from major general Jackson, to governor Rabun, dated

BOWLEGS TOWN, SUWANNEY, APRIL, 20 1818.

SIR—I have reached and destroyed this and the other town in its vicinity, and having captured the principal excitors of the war, I think I may safely say, that the Indian war, for the present, is terminated. This happy circumstance enables me to dispense with the further services of the brigade of Georgia militia commanded by brigadier gen. Glascock, and at their solicitation, have ordered them directly to Hartford, to be mustered, paid and discharged.

"The last campaign has consisted more of rapid movements and manœuvring than of hard fighting; but from every occurrence, I have the utmost confidence, that in the event of a hard fought action, every officer and soldier under my command would have sustained the true American character, and have realized the best hopes of their country." I have the honor to be, &c.

ANDREW JACKSON.

Major general commanding.

EXPEDITION AGAINST THE CHEHAWS.

In our last paper, we briefly noticed the issue of the late expedition against the Chehaw Indians.

Since then, the official account of that affair has been received, and will be found below. Respecting the policy of this expedition, there are various opinions; and with regard to its tragical result, many contradictory statements. It is asserted, and so far as we have heard it expressed, public opinion favors the believe, that the town destroyed was friendly; and some of its warriors are stated to be now with the army under general Jackson. On all subjects, but more particularly on one which has excited much interest and feeling through the country, it is our duty, as faithful purveyors of intelligence, to collect the facts, so far as we are able, and lay them before the public.

We are authorised to state, that the executive has been long since convinced, by information derived from respectable sources, of the hostile disposition of the Indians living in the neighborhood of fort Early, on the Flint river; particularly those under the influence of the chiefs *FLINNA* and *HOPAUNA*. To quiet the apprehensions of the frontier, and prevent depredation, in future, captain Wright, of the militia stationed at Hartford, with such volunteers as he could assemble, was directed by the governor to chastise the towns above named. Unfortunately, the detachment it is believed was misled, either by the ignorance or design of the guides, and fell on the old Chehaw Town, (supposed to be friendly) which was laid in ashes and many of its wretched inhabitants put to death.

The Indians though routed and dispersed, are not, we apprehend, effectually subdued. We understand owing to the unhealthiness of that part of Florida in the summer, hostilities will cease till fall, when they will probably be renewed. To ensure peace from these savages hereafter, a lasting impression must be made upon their fears, which can be accomplished only by severe chastisement.

The gentleman to whom we are indebted for this information, states, that on his return from the army he passed through a part of the Chehaw settlement lately destroyed, and saw and conversed with some of the Indians who had escaped. They were still much alarmed, and expressed great surprise at the attack upon their town, having they say always been friendly. We are gratified to learn that they estimate their loss in killed at only 10 or 12—and that they do not intend to retaliate, but mean to apply for reparation on the known generosity and magnanimity of our government.

HARTFORD, (Ga.) April 25.

His Excellency Governor RABUN,

SIR—I have the honor to inform you that agreeably to your orders, I took up the line of march from this place on the 21st instant, with captains Robinson's and Roger's companies of mounted gun-men, captains Dean's and Child's infantry, together with two detachments under Lieutenants Cooper and Jones, Captain Thomson acting as Adjutant, in all about 270 effective men.

On the night of the 22d I crossed Flint river, and at day break, advanced with caution against the Chehaw Town. The advance guard, when within a half a mile of the town, took an Indian prisoner, who was attending a drove of cattle, and on examination, found some of them to be the property of a Mr. McDuffee (who was present) of Telfair county.

The town was attacked between 11 and 12 o'clock, with positive orders not to injure the women, or children, and in the course of two hours, the whole was in flames; they made some little resistance, but to no purpose.

From the most accurate accounts 24 warriors were killed, and owing to the doors of some of the houses being inaccessible to our men, and numbers of guns being fired at us through the crevices, they were set on fire; in consequence of which numbers were burned to death in the houses; in all probability from 40 to 50 was their total loss; some considerable number of warriors made their escape by taking to a thick swamp; a very large parcel of powder found in the town was destroyed. It is supposed their chief is among the slain. The town is completely laid desolate without the loss of a man. We re-crossed the Flint to Fort Early the same evening, making a complete march of 31 miles (exclusive of destroying the town) in 24 hours.

The conduct of the officers and soldiers on this occasion, as well as on all others, was highly characteristic of the patriotism and bravery of the Georgians in general.

I am sir, with respect, your most obedient humble servant,

OBED WRIGHT,

Capt. Ga. dft. Militia, com'd'g.

Copy of a letter from Judge Strong to the Governor dated, Hartford, 27th April, 1818.

SIR—On my route to the Telfair and back, immediately on the frontier, I took much pains to ascertain the disposition of the towns below Chehaw, and from a variety of corroborating facts, I have no doubt but that a majority of their warriors are hostile, and have done most of the recent mischief on our borders. A part if not all the Chehaw towns are also hostile, some were painted, and the cattle of different citizens found there, which had been driven off by the Indians. The recent occurrences there, puts their disposition out of the question—there can be no doubt they will do us all the injury they can. As an individual I therefore feel desirous, that ample means should be placed in capt. Wright's or some other officers hands, to fight and beat the Indians below Chehaw, and destroy their towns. In haste from the Bench. Yours respectfully,

C. B. STRONG.

Messrs Granlands—I find some people are misled, or under wrong impressions, as to the late expedition to the nation, supposing the town destroyed by capt. Wright's detachment (acting under the orders of the executive) was actually friendly. As an officer commanding a volunteer corps, on that occasion, I feel it my duty to state, that when the army, or rather the advance, appeared within half a mile of the town, we found an Indian herding cattle, the most of which appeared to be white people's marks and brands. A Mr. McDuffee, of Telfair attached to my corps, swore to one cow as the property of his father, and taken from near where the late depredation on the frontier of Telfair was committed. We found in the town a rifle gun, known to be the one taken from a man by the name of Burch, who fell in the before mentioned skirmish. When we determined to attack the town, positive orders were given, to spare the women and children, and all such as claimed protection; which was strictly enforced by the officers so far as was practicable, or came within my observation. My

troop was directed to advance on the right of the town, which was done speedily. On our approach and before a man of my company fired a gun, the Indians, from a sink or cave near the path we were in, fired apparently 12 or 15 guns at my men; the bullets were distinctly heard by all, and slightly felt by two or three of the men. Some of the Indians found in the town were painted; all I saw evinced a disposition to fight or escape. We killed 24 warriors, and burnt the town, agreeable to orders. A considerable number of new British muskets, carbines, &c. were destroyed; in nearly all the houses there were explosions of gunpowder. The Indian we found herding cattle informed us, that Hopanna resided there and was then in the town. I am not certain whether he was slain or not. In possession of the last Indian killed, who was painted red, was found two letters, one from col. Milton, the other from major Minton, both addressed to general Gains, the seals of which were broken.

JACOB ROBINSON.

April 30th, 1818.

The following is a copy of the Orders issued by the executive to Capt. Wright.
Head Quarters, Georgia, Milledgeville, April 14, 1818.

GENERAL ORDERS.

The executive having received information through sources which cannot be doubted, that the wanton and cruel murders so frequently committed on the frontier inhabitants of this state, and which are almost daily practised by the savages, ascertained to be the *Phellemmes* and *Hoponnas*, inhabitants of two small villages of their names, on or near Flint river, who have, during the late hostilities, endeavored to conceal their blood thirsty and hostile disposition under a cloak of friendship—And the combined regular and militia force under Maj. Gen. Jackson being too far advanced into the heart of the Creek Nation to admit of any speedy operations against them from that quarter; the commander in Chief of the State deems it expedient for the safety of the frontier inhabitants, and to prevent further depredation by them, that a sufficient military force should be marched immediately against those towns to effect their complete destruction, and for the speedy accomplishment of which, Capt. Obed Wright, commanding as senior officer of the militia stationed on the frontier, will order Captains Dean and Chikles who are stationed at different points on the Ocmulgee, to proceed immediately with their respective commands to Hartford or such other place as he shall deem expedient, between that place and Fort Early with the exception of a small guard place under the command of a subaltern or non-commissioned officer to defend the posts they now occupy; he is also authorised to receive such companies as may voluntarily join him.

Capt. Timothy L. Rogers, commanding a volunteer troop of light dragoons in Jones, and capt. John Permeter, commanding a volunteer company of riflemen in Twiggs county, will join capt. Wright at Hartford—so soon as the respective companies shall have arrived at that place, capt. Wright will proceed with the whole to Fort Early, where he is authorised to call on capt. Bothwell, or the commanding officer of that station, for the whole of his command, except so many as are actually necessary for its immediate

protection. The utmost precaution will be necessary to the accomplishment of this important object, and to effect which, it will be necessary that a profound secrecy should be observed, and the expedition prosecuted with the greatest possible despatch, in order to take the Indians by surprise; as this is the only probable means of obtaining an effectual and decisive victory over an enemy who will not come in contract on equal terms.

By order of the Commander in Chief,

E. WOOD, Secretary.

ITALY.

Letters from Rome received in London on the 15th of April, state, that in the Concordat concluded between the Holy See and Naples, among many regulations of a very liberal description, there is one for securing the complete toleration of the Protestant Religion.

HAYTI.

President BOYER, of Hayti, is a colored man, about 50 years old; and was one of the commanders who expelled the French invaders of St. Domingo under Le Clerc and Rochambeau. His courage and military skill are highly spoken of.

One of the first acts of President Boyer, of Hayti, was the liberation of all prisoners not under sentence of death. A white President could not have done a more humane deed.

DISTRICT OF COLUMBIA.

Hail Storm—On Thursday afternoon this city was visited by a severe hail storm. The cloud approached from the north-west, and seemed to hang for some time over the adjacent country, in the direction of Bladensburg. About half past five o'clock it approached suddenly from that direction, and the hail descended with much violence for about ten minutes, and was in size from that of a pea to a common hickory nut. The quantity was more than sufficient to cover the ground. The glass windows upon the north and east fronts of the houses were almost entirely demolished except the President's house, which, from the superiority of the glass, and the manner of its being set, (it being bent so as to present a convex surface) not one pane was injured. It is feared that grain and fruit-trees have suffered severely.—We have not yet learned how wide a space it embraced.

We have been politely informed by the friend of a "*A Native American*" that the allusion, as to his identity, made by the "*Friend*" of "*a Foreigner*" in our last was incorrect. The gentleman who writes in defence of the secretary of war is a member of the fifteenth congress of much respectability: we do not know his name, nor do we consider it a matter of importance whether we do or not. By his request, conveyed through his friend, we republished his piece from the National Intelligencer last week; we done it to sustain our professions of impartiality, and to lay before our readers the whole subject. The "*Friend*" of "*a Foreigner*" is also desirous that the editors of the National Intelligencer should republish from the National Register the remarks of *A Foreigner* which have occasioned this controversy, that their readers may also see the whole subject. When this is done we hope the subject will be permitted to rest.